

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Richmond Division

JONATHAN MARCUM, <i>et al.</i> ,)	
Plaintiffs,)	
)	
v.)	CIVIL NO. 3:12cv108
)	
DOLGENCORP, INC.,)	
Defendant.)	
_____)	

REPORT AND RECOMMENDATION

On September 4, 2012, this matter was referred to this Court for a settlement conference. (ECF No. 16.) After various delays, the matter was ultimately scheduled for a settlement conference on March 25, 2013. Thereafter, additional settlement conferences were held on July 15, 2013, and August 5, 2013, as well as numerous telephone conference calls with the parties. Unfortunately, this Court was unable to resolve the case. Because the District Court stayed discovery pending the efforts to resolve the case (ECF No. 52), this Court REPORTS that it was unable to settle the case and RECOMMENDS that the stay be lifted, so that litigation of the case may move forward.

Let the Clerk file this Report and Recommendation electronically and forward a copy to the Honorable James R. Spencer with notification to all counsel of record.

NOTICE TO PARTIES

Failure to file written objections to the proposed findings, conclusions and recommendations of the Magistrate Judge contained in the foregoing report within fourteen (14) days after being served with a copy of this report may result in the waiver of

any right to a *de novo* review of the determinations contained in the report and such failure shall bar you from attacking on appeal the findings and conclusions accepted and adopted by the District Judge except upon grounds of plain error.

/s/ 

David J. Novak
United States Magistrate Judge

Richmond, Virginia
Date: August 27, 2013